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10/25/07
GUSTON

United States Court of Appeals For the First Circuit

No. 06-2404

UNITED STATES,

Appellee,

v.

JOSE TORRADO,

Defendant, Appellant.

Before

Boudin, Chief Judge,
Torruella and Lynch, Circuit Judges.

JUDGMENT

Entered: September 17, 2007

In this sentencing appeal, defendant argues that the district court erred in finding him responsible for at least 100 grams of heroin. We discern no clear error in the district court's drug quantity determination. Specifically, we reject defendant's contention that the record does not adequately support the district court's conclusion that defendant was responsible for two 50-gram heroin transactions in September 2004. We also reject defendant's contention that the district court erred in crediting the grand jury testimony of two drug customers.

The government's motion for summary disposition is granted. The judgment of the district court is affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Richard Cushing Donovan, Clerk.

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk

Deececi Cc
Deputy Clerk

Date: 10/25/07

MARGARET CARTER

By: _____
Chief Deputy Clerk.

[cc: Lenore Glaser Esq., William F. Bloomer AUSA,
Sharon A. Kearney AUSA, Dina Michael Chaitowitz AUSA,
Jennifer H. Zacks AUSA]